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C O N F I D E N T I A L SECTION 01 OF 02 TOKYO 000859

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USDA/FAS PASS YOST, MILLER, SISSON, SCHMEISSNER

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TAGS: [EAGR](#) [ECON](#) [ETRD](#) [JA](#)

SUBJECT: ANIMAL CLONING UPDATE: FSC RISK ASSESSMENT TO BE REQUESTED

Classified By: Ambassador J. Thomas Schieffer for reasons 1.4 (B) and (D).

Summary

¶1. (C) MOFA's Second North Americas Division informed us March 28 that it is highly likely that the Health Ministry (MHLW) will request a risk assessment on the safety of products from clones and from the offspring of clones. The submission to the Food Safety Commission will reportedly be made April 1. No trade restrictions on U.S. animal products are expected following the announcement. We understand Washington Agencies will be approached by the Japanese Embassy to comment on proposed press Q&A's related to the cloning announcement. End Summary.

¶2. (C) Following the January 15 FDA and USDA announcements on cloning, MHLW sought written answers from the USG to a series of questions related to the prevalence of clones and their offspring in the U.S. animal production system. The MHLW at that time had threatened to restrict imports if U.S. suppliers could not document that imported animal products did not come from clones or the offspring of clones. While MHLW's questions remain unanswered, the Cabinet Office, led by CCS Machimura, has directed MHLW to first request a risk assessment from the FSC, a process that could take months. While this decision could still be challenged by MHLW Minister Masuzoe, such a course seems unlikely and the FSC submission should now proceed.

¶4. (C) The MHLW provided us with draft press questions and answers for our review. Foreign Ministry sources report that the Japanese Embassy in Washington will provide these and additional questions and answers to USG agencies for comment.

Begin MHLW Draft Q&A

¶Q. What is your (GOJ,s or MHLW,s) understanding of the distribution of products derived from SCNT livestock?

A1. In Japan, MAFF has requested a voluntary moratorium on SCNT clone livestock (includes cattle, swine, goats and their progeny). Therefore, we do not consider that the products derived from SCNT clone livestock are currently being distributed in the market.

A2. Outside of Japan, we have not received information that indicates that products derived from SCNT clone livestock are currently being distributed in the market. In addition, the United States finished its risk assessment of SCNT clone livestock. The United States has the view that SCNT

livestock will not be distributed for a few years and that the distribution of their progeny will be even later, as USDA commented in the FDA's homepage last January. Therefore, we do not consider that products derived from SCNT clone livestock are currently being distributed.

End MHLW Draft Q&A

Comment

15. (C) We suspect this issue will go to the Food Safety Commission for consideration in the coming days; MOFA's prediction of next week is realistic. The position taken by CCS Machimura is welcome and follows Embassy, NSC, USTR, and USDA interventions. Attempts by MHLW to send out guidelines -- even if only "voluntary" -- that could affect trade seem to have been put off until the FSC comes to a decision.

16. (C) However, because MHLW's repeated requests for information remain unanswered, the Ministry has become reluctant to engage with us on the cloning issue. The Chief Cabinet Secretary's intervention, by moving this issue to the Food Safety Commission, has stopped MHLW from issuing trade-blocking measures for now, but it remains important that we provide sound scientific information to help manage the Japanese process and help forestall undesirable GOJ actions. One constructive way to do this may be to offer technical support and expert testimony for the FSC review. Because of our diminished access to MHLW, we do not currently know the exact question that they will pose to the FSC and the extent to which animal product imports will be used as grounds for the request.

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SCHIEFFER